

## REMARKS

Reconsideration of the present application in view of the foregoing amendments and the following remarks is respectfully requested. Claims 1-44 were presented for initial examination in the present application. Claims 7 and 27 have been cancelled, without prejudice, and independent claims 1 and 21 are hereby amended. Basis for the amendments may be found in the specification, e.g., at page 7, paragraph 2, and pages 10-15.

The Office Action **(1)** rejected claims 1-38, 40, 41, 43 and 44 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,528,261 to Holt et al. (hereafter “the ‘261 patent”); and **(2)** rejected claims 39 and 42 under 35 U.S.C. 103(a) as being unpatentable over the ‘261 patent as applied to claims 1 and 21, and further in view of U.S. Patent No. 6,515,690 to Back et al. (hereafter “the ‘690 patent”).

Regarding item **(1)** identified above, the Applicants hereby respectfully submit that claims 1-38, 40-41 and 43-44 are patentable over the ‘261 patent.

With particular reference to independent claim 1, it is respectfully submitted that the ‘261 patent at least fails to disclose or suggest a process having a step of “coding the at least one data set into text” and a step of “storing the at least one data set in a preselected data format in the color information file in a text format”. Rather, the ‘261 patent merely teaches “color architecture 54 implemented in an object-oriented programming design”. The Action contends that because an object-oriented programming (OOP) design is a “text based” program, the ‘261 patent discloses “storing the at least one data set in a preselected data format in the color information file in a text format”. Applicants respectfully disagree with this contention. Applicants respectfully submit that an OOP design, which is a programming technique in which modules of code (e.g., C++ code) are independent and linkable as needed, is not the same as

“storing the at least one data set in a preselected data format in the color information file in a text format”. Applicants respectfully submit that “coding” is not the same as “storing”. Hence, Applicants have revised independent claim 1 merely to clarify this distinction. Applicants respectfully submit that no new matter and/or issues have been raised by the proposed revision and that present independent claim 1 is in condition for allowance. Accordingly, reconsideration and withdrawal of the stated rejection of independent claim 1 under 35 U.S.C. 102(e) are respectfully requested.

With particular reference to dependent claims 2-6 and 8-20, which depend either directly or indirectly from independent claim 1, Applicants respectfully submit that each of such claims are patentable over the cited ‘261 patent at least for the reasons discussed above with respect to independent claim 1. Accordingly, reconsideration and withdrawal of the rejection of claims 2-6 and 8-20, and allowance thereof, are respectfully requested.

With particular reference to independent claim 21, Applicants respectfully submit that the ‘261 patent at least fails to disclose or suggest a process having a step of “storing the coded information at a transmitter end in a color information file in a text format”. Rather, the ‘261 patent, as previously noted with respect to independent claim 1, merely teaches “color architecture 54 implemented in an object-oriented programming design”. Thus, at least for reasons similar to those identified above with respect to independent claim 1 (i.e., “coding” is not the same as “storing”), Applicants respectfully submit that independent claim 21 is patentable over the ‘261 patent. It is respectfully noted that independent claim 21, like independent claim 1, has been revised merely to clarify the distinction between “coding” and “storing”. Applicants respectfully submit that no new matter and/or issues have been raised by the proposed revision and that present independent claim 21 is currently in condition for allowance. Therefore, reconsideration and withdrawal of the stated rejection of independent claim 21 under 35 U.S.C. 102(e) are respectfully requested.

With particular reference to dependent claims 22-26, 28-38, 40-41 and 43-44, which depend either directly or indirectly from independent claim 21, Applicants respectfully submit that each of such claims are patentable over the cited '261 patent at least for the reasons discussed above with respect to independent claim 21. Accordingly, reconsideration and withdrawal of the rejection of claims 22-26, 28-38, 40-41 and 43-44, and allowance thereof, are respectfully requested.

Regarding item (2) identified above, Applicants respectfully submit that the '690 patent, which was cited by the Action for purportedly disclosing "the hierarchically organized object structure of the data objects is built on the basis of Extensible Markup Language" suitable to be combined with the teachings of the '261 patent (see, pages 9, item 4 of the Action), fails to correct the deficiencies of the '261 patent identified/discussed above with respect to claims 1-38, 40, 41, 43 and 44. The '690 patent discloses utilizing a "text database 600 [to] store one or more documents that can be displayed by the dynamic text navigation system" (col. 5, lines 14-17), and utilizing "object or object-oriented software development environments that provide portable source code that can be used on a variety of computer or work station hardware platforms" (col. 7, lines 41-44). Applicants accordingly respectfully submit that the '690 patent fails to disclose or suggest a process having a step of "coding the at least one data set into text" and a step of "storing the at least one data set in a preselected data format in [a] color information file in a text format" as recited by present independent claim 1, and/or a process having a step of "storing the coded information at a transmitter end in a color information file in a text format" as recited by present independent claim 21. Thus, as claims 39 and 42 depend either directly or indirectly from independent claims 1 and 21, respectively, Applicants respectfully submit that such claims are patentable over the cited references at least for the reasons previously discussed with respect to claims 1 and 21. Accordingly, reconsideration and withdrawal of the rejection of claims 39 and 42, and allowance thereof, are respectfully requested.

In sum, it is respectfully submitted that the present claims are patentable over each of the cited references and/or any proper combination thereof. Hence, this application is in condition for allowance. Accordingly, reconsideration and withdrawal of all rejections, and all objections of the claims, are respectfully requested.

Respectfully submitted,

Date: April 12, 2004

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HARTFORD: 610950.01